International Application No. PCT/BE99/00112

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JC09 Rec'd PCT/PTO 2 0 FEB (1) P F 09 / 76353
Antorney Bocker No. VANM198.001APC

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 USC 371

International Application No.:

PCT/BE99/00112

International Filing Date:

August 17, 1999

Priority Date Claimed:

August 17, 1998

Title of Invention:

PHARMACEUTICAL COMPOSITION FOR TREATING OR PREVENTING

DIABETES OR CANCER, OR THE WAARDENBURG SYNDROME

Applicant(s) for DO/EO/US:

Guy Rousseau, Frederic Lemaigre

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- 1. (X) This is a **FIRST** submission of items concerning a filing under 35 USC 371.
- 2. (X) This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Articles 22 and 39(1).
- 3. (X) A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- 4. (X) A copy of the International Application as filed (35 USC 371(c)(2))
 - a) () is transmitted herewith (required only if not transmitted by the International Bureau).
 - b) (X) has been transmitted by the International Bureau.
 - c) () is not required, as the application was filed in the United States Receiving Office (RO/US).
- 5. (X) Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3))
 - a) () are transmitted herewith (required only if not transmitted by the International Bureau).
 - b) () have been transmitted by the International Bureau.
 - c) () have not been made; however, the time limit for making such amendments has NOT expired.
 - d) (X) have not been made and will not be made.
- 6. (X) An oath or declaration of the inventor(s) and power of attorney (35 USC 371(c)(4)).
- 7. (X) A copy of the International Preliminary Examination Report with any annexes thereto, such as any amendments made under PCT Article 34.
- 8. (X) An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- 9. (X) A FIRST preliminary amendment.

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Date: February 20, 2001

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10.	(X)	A copy of the International Application as published (minus original claims):
		a. (X) Publication Cover Sheet

- b. (X) 16 pages of disclosure.
- c. (X) 1 page of drawings.
- d. (X) Sequence Listing in 11 pages.
- e. (X) International Search Report.
- 11. (X) Small Entity is established.
- 12. (X) PCT Form PCT/IPEA/402.
- 13. (X) PCT Form PCT/IB/308.
- 14. (X) PCT request form.

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- 15. (X) A return prepaid postcard.
- 16. (X) The following fees are submitted:

						FEES
			BASIC FEE			\$860
CLA	IMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total	Claims		9 - 20 =	0 ×	\$18	\$0
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			TOTAL NATIO	DNAL FEE ENCLOSE	ED	\$430
17.	(X)	A check in the a	amount of \$430 to co	ver the above fees is en	closed.	
8.	(X)	A check in the amount of \$40 for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).				
9.	(X)	The Commissioner is hereby authorized to charge only those additional fees which may be required, now or in the future, to avoid abandonment of the application, or credit any overpayment to Deposit Account No. 11 1410. A dynlicate account of the application of the application of the application of the application of the application.				

overpayment to Deposit Account No. 11-1410. A duplicate copy of this sheet is enclosed.

U.S. Application No. Pending

International Application No. PCT/BE99/00112

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Date: February 19, 2001

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NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

KNOBBE, MARTENS, OLSON & BEAR, LLP 620 Newport Center Drive Sixteenth Floor Newport Beach, CA 92660

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Rousseau, et al) Group Art Unit Unknown
Int'l Appl. No.	• •	PCT/BE99/00112))
Filed	:	August 17, 1999)
For	:	PHARMACEUTICAL COMPOSITION FOR TREATING OR PREVENTING DIABETES OR CANCER, OR THE WAARDENBURG SYNDROME)))))
Examiner	•	Unknown)

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

VANM198.001APC

Preliminary to examination on the merits, please amend the above-captioned patent application as follows:

IN THE SPECIFICATION

On page 1, line 4, please insert -- RELATED APPLICATIONS

This is the U.S. National Phase under 35 U.S.C. §371 of International Patent Application PCT/BE99/00112, filed August 17, 1999.--.

On page 17, line 1, please cancel the word "CLAIMS" and substitute in its place -- WHAT IS CLAIMED IS:--.

IN THE CLAIMS

Please amend the claims as follows:

1. (Amended) A pharmaceutical composition comprising [a suitable pharmaceutical vehicle and] an element [chosen]selected from the group consisting of: a

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[nucleotide sequence]polynucleotide encoding a peptide of the ONECUT family, a vector comprising [this nucleotide sequence]said polynucleotide, the polypeptide [sequence] encoded by [this nucleotide sequence]said polynucleotide and[/or] a cell line transformed with said vector [and expressing the peptide of the ONECUT family].

- 2. (Amended) The pharmaceutical composition [as claimed in]of claim 1, [characterized in that]wherein the protein of the ONECUT family is an isoform of HNF-6 [in its two isoforms].
- 3. (Amended) The pharmaceutical composition [as claimed in]of claim 1, [characterized in that]wherein the protein of the ONECUT family is OC-2, the amino acid sequence of which is SEQ ID No. 2.
- 4. **(Amended)** The [cellular] pharmaceutical composition [as claimed in]of claim 1, [characterized in that]wherein the protein of the ONECUT family is OC-3, the amino acid sequence of which is SEQ ID No 3.
- 5. (Amended) The pharmaceutical composition [as claimed in any one of the preceding claims, characterized in that]of Claim 1, wherein said [nucleotide and polypeptide sequences are]polynucleotide is a human polynucleotide[nucleotide and polypeptide sequence].
- 6. (Amended) The pharmaceutical composition [as claimed in any one of the preceding claims, characterized in that]of Claim 1, wherein the vector is [chosen]selected from the group consisting of plasmids, viruses, phagemids, lipid vesicles, in particular cationic vesicles, liposomes [or]and a mixture [of these]thereof.
- 7. (Amended) [The use of the pharmaceutical composition as claimed in any one of the preceding claims, for preparing a medicinal product intended]A method for the prevention and/or for the treatment of type 1 or type 2 diabetes or of disorders linked to diabetes, for the prevention and/or for the treatment of cancer[, in particular of melanoma,] and for the prevention and for the treatment of Waardenburg syndrome, comprising:

administration of the pharmaceutical composition of Claim 1 in an amount effective to prevent or reduce the symptoms of diabetes, cancer, and/or Waardenburg syndrome.

8. (Amended) [A]The method of [therapeutic treatment of a patient, preferably of a human patient, likely to develop or suffering from diabetes, from a cancer, in particular from a melanoma, or from Waardenburg syndrome, characterized in that]Claim 7, wherein

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Filed

August 17, 1999

the pharmaceutical composition [as claimed in any one of claims 1 to 4] is administered ex vivo by isolating a body fluid or one or more cells from the patient, treating said cells or the cells present in this body fluid with [the]said pharmaceutical composition [of the invention or with the vector included in this pharmaceutical composition], and reinjecting [into said patient] the transformed cells into said patient.

Please add the following claims:

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9. The method of Claim 7 wherein the cancer is melanoma.

REMARKS

The Specification and Claims have been amended to correct minor informalities and conform to practice before the United States Patent and Trademark Office. No new matter has been added herewith.

Conclusion

Should there be any questions concerning the above-captioned patent application, the Examiner is respectfully requested to contact the undersigned at the telephone number appearing below.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 20 Feb 2001

By:

Daniel E. Altman

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CLAIMS

- 1. A pharmaceutical composition comprising An acceptable pharmaceutical vehicle and an element chosen from the group consisting of a nucleotide sequence encoding a protein of the ONECUT family characterized by the presence of a single CUT domain and the presence of an F48M50 dyad in the homeo domain, a vector comprising this nucleotide sequence, the protein sequence encoded by this nucleotide sequence and/or a cell line transformed with said vector and expressing said protein of the ONECUT family.
 - 2. The pharmaceutical composition as claimed in claim 1, characterized in that the protein of the ONECUT family is HNF-6 in its two isoforms.
- 15 3. The pharmaceutical composition as claimed in claim 1, characterized in that the protein of the ONECUT family is OC-2, the amino acid sequence of which is SEQ ID No. 2.
- 4. The cellular pharmaceutical composition as claimed in claim 1, characterized in that the protein of the ONECUT family is OC-3, the amino acid sequence of which is SEQ ID No 3.
 - 5. The pharmaceutical composition as claimed in any one of the preceding claims, characterized in that said nucleotide and polypeptide sequences are human nucleotide and polypeptide sequences.
 - 6. The pharmaceutical composition as claimed in any one of the preceding claims, characterized in that the vector is chosen from the group consisting of plasmids, viruses, phagemids, lipid vesicles, in
- 30 plasmids, viruses, phagemids, lipid vesicles, in particular cationic vesicles, liposomes or a mixture of these.
- 7. The use of the pharmaceutical composition as claimed in any one of the preceding claims, for preparing a medicinal product intended for the prevention and/or for the treatment of type 1 or type 2 diabetes or of disorders linked to diabetes, for the

AMENDED PAGE

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prevention and/or for the treatment of cancer, in particular of melanoma, and for the prevention and for the treatment of Waardenburg syndrome.

A method of therapeutic treatment of a patient, preferably of a human patient, likely to develop or suffering from diabetes, from a cancer, in particular from a melanoma, or from Waardenburg syndrome, characterized in that the pharmaceutical composition as claimed in any one of claims 1 to 4 is administered ex vivo by isolating a body fluid or one or more cells from the patient, treating said cells or the cells present in this body fluid with the pharmaceutical composition of the invention or with the vector included in this pharmaceutical composition, reinjecting into said patient the transformed cells.

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PHARMACEUTICAL COMPOSITION INTENDED FOR THE TREATMENT OR FOR THE PREVENTION OF DIABETES, OF CANCER OR OF WAARDENBURG SYNDROME

Subject of the invention

The present invention relates to pharmaceutical composition intended for the treatment or for the prevention of diabetes or of cancer, particular to a cellular therapy for diabetes creating an artificial pancreas.

The present invention also relates diagnostic device intended for the diagnosis and for the monitoring of the progression of diabetes or of cancer.

Technological background forming the basis the invention

Diabetes is a generic term under which are designated disorders characterized by the combination of polyuria and polydipsia. Diabetes mellitus, also named hereinafter sugar diabetes, which can be type 1 or type 2 diabetes, is due to poor functioning of the beta cells of the endocrine pancreas (islets Langerhans), which synthesize and secrete insulin (Gerich & Haeften, COED 5, pp. 144-148 (1998)). It is often accompanied (type 2 diabetes) by resistance of the target tissues to the action of the insulin.

Sugar diabetes is one of the most common metabolic diseases, in particular in the industrialized (1998)). (Leahy, *COED* 5, pp. 73-74 characterized by a deficiency of the use of glucose, and can have serious and sometimes fatal pathological consequences, such as metabolic disorders, cardiovascular and neurological problems or retinal or renal lesions. Treatment with insulin requires one or more daily injections for life.

Consequently, there is a real need to replace these injections with transplantable systems (Gage et al., Nature 392, Supplement 3 (1998)).

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State of the art

The document Lemaigre et al. (1996) describes a cDNA encoding hepatocyte nuclear factor 6, hereinafter HNF-6. The naming of this molecule hepatocyte nuclear factor (HNF) is an arbitrary naming which indicates that this molecule is a factor which is present in the nuclei of hepatocytes without prejudging whether or not it is related to the other molecules also identified as hepatocyte nuclear factor HNF-1 to HNF-4. This HNF-6 protein controls the transcription of certain genes in a small number of tissues in which it is expressed (Samadani & Costa (1996)). The expression of this molecule has in particular been identified in the mouse pancreas (Landry et al. (1997) and Rausa et al. (1997)).

It is also known that the HNF-6 molecule exerts a control on HNF-4 synthesis in cells in culture. However, none of these documents mentions that modification of the animal or human gene encoding HNF-6 is capable of causing diabetes in a whole organism.

Contrary to what is suggested in document WO 98/11254 and the publication by Duncan et al. (Science Vol. 282, pp. 692-695, July 1998), the HNF-3 molecule controls the synthesis of the HNF-4 molecule in cells in culture, but a modification affecting the gene encoding the HNF-3 molecule is not capable of causing diabetes in animals, including humans.

French patent application FR-2,696,755 describes an implantable capsule comprising an external case consisting of a hydrogel of acrylonitrile and of methallylsulfonate and an internal comprising an encapsulated substance which can consist of islets of Langerhans, of pancreatic beta cells or of hepatocytes. The case is a biocompatible membrane which is selectively permeable to insulin or to the nutrients required for the substance to be encapsulated. This product can be used in the transplantation of cells or of groups of cells such as islets of Langerhans,

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order to overcome the insufficiency of insulin production in diabetic patients.

International patent application WO 95/09231 describes novel beta-insulin-secreting cell lines which can be in the form of "pseudo-islets" which can be encapsulated in a biocompatible hydrogel, which hydrogel is optionally incorporated into transplantable fibers intended to be introduced into the patient via a subcutaneous or intraperitoneal route in such a way as to treat insulin-dependent diseases.

International patent application WO 95/29988 describes a method for culturing cell lines, in particular pancreatic cells, capable of creating cellular islets which are reimplantable in vivo in mammals in such as way as to treat pancreatic diseases in humans or animals.

An essential characteristic of the cell lines which can be used in substitutive therapy for insulindependent diabetes is to be able to secrete insulin in glucose (glucose-stimulated response to secretion, GSIS). This presumes that, in these cells, the expression of the genes involved in GSIS is stable. GSIS depends in particular on GLUT-2, which is the glucose transporter in beta cells, and on glucokinase, which is required for producing the GSIS signal from glucose. A recurrent problem of these lines is the loss of GLUT-2 and of glucokinase (Newgard et al.; (1997)). Another problem is apoptosis (Hohmeier et al., (1998)), cell death which can be caused by glucocorticoid hormones.

Aims of the invention

The present invention is directed toward providing a novel pharmaceutical composition which is capable of being used in the prevention or treatment of diabetes or of cancer and which can be used either in the domain of genetic therapy or the domain of cell therapy in the form of cellular masses or the formation of an artificial pancreatic tissue or organ.

Another aim of the invention consists in providing a novel diagnostic device, such as a diagnostic kit intended to improve the diagnosis and/or monitoring of diabetes or of cancer, in particular to differentiate certain malignant progressions of the cancer.

Characteristic elements of the invention

The inventors have discovered, unexpectedly, 10 that knocking out the HNF-6 gene in mice shows that is essential for the functioning gene formation of the islets of Langerhans and for the response of the organism to insulin. In addition, the inventors have shown that other proteins similar to HNF-6, which share with HNF-6 two particularities; on 15 the one hand, the presence of a single cut domain and, on the other hand, the presence of the F48M50 dyad in the homeodomaine (Lannoy et al. (1998)), belonging to the same family named ONECUT (abbreviation OC) (Lannoy et al., (1998) and Jacquemin et al. (1999)), are also 20 involved in some essential metabolic mechanisms. Among the family of proteins thus defined, which comprises in particular the HNF-6 protein, the OC-2 protein and the OC-3 protein, certain proteins have functions which are animals. particular 25 essential in in especially in glucose metabolism. Mice in which the HNF-6 gene has been knocked out (hnf6-/- mice) have sugar diabetes. This is characterized by a GLUT-2 deficiency in the beta cells and by insufficient 30 insulin secretion in response to glucose (Jacquemin et al., submitted for publication). The diabetes of the hnf6-/- mice is finally cured spontaneously, and this is accompanied by a large increase in OC-2 in the pancreas. These observations illustrate the importance HNF-6 and of OC-2 in maintaining 35 carbohydrate in particular through maintaining homeostasis, differentiated phenotype of the beta cells. The inventors have shown, moreover, that HNF-6 can inhibit the effect of glucocorticoids (Pierreux et al. (1999)).

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In addition, such molecules may be used for treating, preventing or diagnosing the appearance and/or development of a certain number of disorders and of diseases, in particular diabetes or cancer, preferably melanoma.

The present invention therefore relates to a pharmaceutical composition comprising a pharmaceutical vehicle and an element chosen from the group consisting of a nucleotide sequence encoding a protein which is a member of the ONECUT family, particular the HNF-6, OC-2 or OC-3 molecules, the nucleotide and peptide sequences of which are described a vector comprising said nucleotide hereinafter, sequence, the encoded polypeptide sequence and/or a cell line transformed with said vector and expressing said nucleotide sequences, which particular capable of encoding the HNF-6 protein or another member of the ONECUT family, such as the OC-2 or OC-3 molecules.

The expression "nucleotide sequence encoding 20 HNF-6" is intended to mean, for the HNF-6, OC-2 or OC-3 protein, a nucleotide sequence the coding portions the exons) of which correspond, (included in respectively, to the coding sequence of the cDNA as already described by Lemaigre et al. (1996) or to the 25 sequences as described below (encompassing the OC-2 and OC-3 sequences), and the sequences having more than 80%, preferably more than 85%, more particularly more 90% or more than 95% homology (or identity) with the sequence of the cDNA of the HNF-6 30 molecule as described by Lemaigre et al. equivalent sequences capable of hybridizing with these nucleotide sequences (including the sequences of the OC-2 and OC-3 molecules). This hybridization takes conditions preferably under 35 sufficiently stringent so as to identify the various genomic sequences encoding amino acid sequence an identical or similar to the abovementioned sequences, particular other sequences specific for

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mammals, having the same function or being involved in the same biochemical mechanism, in particular those in the examples below, but possibly different particular due to the redundancy of the genetic code). Stringent hybridization conditions are, in particular, as follows: hybridization at 40°C in 50% of formamide, 5x SSC 20 mM sodium phosphate, pH 6.8, washing in 0.2x SSC at 50°C. Modifications of these conditions can be provided by those skilled in the art as a function of the length and of the GC-nucleotide content in the to be hybridized. Other sequence hybridization conditions are in particular those described Sambrook et al., § 9.47-9.51 in Molecular Cloning: A Laboratory Manual, Cold Spring Harbor, Laboratory Press, Cold Spring Harbor, New York (1989)).

According to the invention, the gene encoding the HNF-6 used concerns genomic sequences encoding both the alpha and beta isoforms of HNF-6, as described by Lannoy et al. (1998).

20 The pharmaceutical composition of the invention can be used to produce genetic and/or cell therapy for a patient likely to develop diabetes or suffering from diabetes, or likely to develop a cancer or suffering from a cancer, in particular from a melanoma. In the 25 domain of genetic therapy, the nucleotide sequence of the invention can be administered to the patient or to cell lines from the patient via ex vivo treatment in naked form using methods well known to the person skilled in the art or via a vector, preferably chosen group consisting of plasmids, 30 from the phagemids, lipid vesicles such as cationic lipids, liposomes or a mixture of these. The vector will incorporate all the elements required to obtain the expression of the nucleotide sequence according to the invention in the patient, preferably in the specific cell lines to be treated, such as the pancreatic cells involved insulin synthesis, the hepatic cells in involved in insulin response or cells of the epidermis

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or of the dermis which are likely to develop a melanoma.

The pharmaceutical composition of the Inventor can also be used in cell therapy by direct injection of the cells using an in vivo or ex vivo method or by forming an artificial cellular aggregate as described in patent applications FR-2,696,755, WO 95/09231 and WO 95/29988. Proliferation of the cells transformed with the nucleotide sequence of the invention or the vector of the invention can be obtained using methods well known to those skilled in the art, in particular those described in patent applications WO 97/49728 and WO 95/29988.

The pharmaceutical vehicle according to the method to according invention varies 15 (intravenous, intramuscular, administration chosen oral, etc.) and is an excipient well known to those skilled in the art, in the form of tablets, pills, syrups, etc. capsules, solutions, This component optionally comprises adjuvants (in particular a growth 20 hormone) well known to those skilled in the art, so as to induce synergistic effects or to suppress certain specific immune or cellular reactions, or so as to reduce certain unwanted side effects or toxic effects of the active principle or of the vehicle of the 25 invention.

The percentage of active product (nucleotide sequence, amino acid sequence or fragments thereof, the pharmaceutical etc.) in vector, cell line, composition can vary according to very wide ranges frequency only by the which are limited level of administration, the tolerance and the composition according the the to acceptance of invention by the patient.

The present invention also relates to the use of the pharmaceutical composition of the invention for preparing a medicinal product intended for the treatment and/or for the prevention of type 1 or type 2 diabetes and of the disorders linked to diabetes, in

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particular of the disorders linked to the poor functioning of the beta cells of the endocrine pancreas which synthesize and secrete insulin, and/or for the treatment of cancer, in particular of melanoma.

Another aspect of the present invention relates to the method for treating a patient, in particular a patient likely to develop diabetes, suffering from diabetes, likely to develop a cancer or suffering from a cancer, especially a melanoma, by which the pharmaceutical composition of the invention is administered to said patient using an in vivo or ex vivo treatment method.

A final aspect of the present invention relates novel product, of the protection, as a nucleotide and peptide sequences encoding the OC-2 molecule, and the sequences homologous to the OC-2 and OC-3 sequences. The expression "homologous sequence" is intended to mean the genetic sequences having more than 80%, preferably more than 85%, more particularly more than 90% or more than 95% homology (or amino with the nucleic acid and identity) sequences as described in the appended sequence listing (SEQ ID No. 1 to SEQ ID No. 4), provided that this sequence does not encompass the sequence of the HNF-6 molecule as described by Lemaigre et al. (1996).

Homologous sequences are also defined as sequences which can hybridize with the nucleotide sequences SEQ ID No. 1 and SEQ ID No. 3 encoding the OC-2 and OC-3 molecules. This hybridization takes place preferably under sufficiently stringent conditions, as described above.

Besides the therapeutic and prophylactic application mentioned above, a second application of these novel sequences encoding the OC-2 and OC-3 molecules is their use in the domain of the diagnosis and/or of the monitoring of various disorders, in particular of diabetes and/or of cancer.

A final aspect of the present invention therefore relates to a diagnostic device such as a

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diagnostic kit comprising said nucleotide and/or the OC-2, OC-3 and HNF-6 peptide sequences of sequences, and the various reagents intended for the for the monitoring of diseases, diagnosis and particular of diabetes, of cancer, in particular the diagnosis and monitoring of the progression of melanoma for detection based on the technical methods chosen from the group consisting of in situ hybridization, and identification with labeled hybridization by the ELISA particular antibodies, in technique, methods of hybridization on a filter, on a solid support, in solution, in sandwich or on a gel by dot blot hybridization or by Northern blot, Southern blot or Western blot hybridization, by labeling with (such as without isotopes isotopes or fluorescence or biotin labeling), by the so-called cold probe technique or by genetic amplification (or CPR using PCR, RT-PCR, LCR or particular amplifications), of double immunodiffusion, of counterimmunoelectrophoresis, of hemagglutination or other techniques well known to those skilled in the art which allow specific identification of nucleotide and/or protein sequences.

also comprise device can diagnostic elements which allow optional purification of a sample obtained from a human or animal body (such as physiological liquid), prior treatment of this sample and option preamplification of this sample, as well as quantification of this possible diagnosis and and analysis or protein sequence an nucleotide correlated with the general condition of the animal or human patient treated. These various steps carried out manually or using an automatic machine.

The present invention will be described in detail in the nonlimiting examples given below with reference to the appended figures.

Example 1

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Detection of melanocyte differentiation.

The function of the melanocytes of the skin, in response to irradiation by UV radiation (Carreira), is to protect the keratinocytes against damage to the DNA induced by UV radiation, via the production of the pigment melanin. More than 70 genes which affect melanocyte development have been identified by genetic analysis, and more than 20 of them have been cloned (Opdecamp (1997)).

factor (microphthalmiatranscription associated transcription factor (MITF)) is involved in in humans (Tachibana melanocyte differentiation (1996)). It is known that mutations in the MITF gene are associated with Waardenburg syndrome (Tachibana (1994)). It is also known that mutants of the Pax-3 or CREB transcription factors which do not have this transcription activity are associated with the type 1 and type 3 Waardenburg syndromes (Tassabehji). Since the Pax-3 gene encodes an MITF-activating molecule, the identification of other transcriptional factors which affect the MITF gene contribute to improving diagnosis and monitoring of cancerous diseases and can find applications in the treatment and/or prevention of in particular of the Waardenburg these diseases, syndrome.

Experimental procedure/reverse transcription

A reverse transcription PCR (RT-PCR) is carried out in order to detect the expression of the human mRNAs of the OC-2 and HNF-6 molecules in melanocytes and in various melanoma cells, one microgram of total RNA being reverse [transribed by] using the murine Moloney leukemia virus reverse transcriptase and other reagents (random hexamers (Life technology Inc.)). The cDNAs of these OC-2 and HNF-6 molecules were amplified by PCR and the specificity of the amplified products was identified by Southern blotting experiments, as described by Jacquemin et al. (1997-1999).

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The integrity of the RNA preparations was controlled by amplification of a beta-actin cDNA fragment. The negative controls including the RT-PCR were carried out in the absence of reverse transcriptase.

Melanocyte cell lines

The 397-MEL and 526-MEL cell lines were obtained from the National Cancer Institute KANG.

10 The LB373-MEL, BB74-MEL and LB1622-MEL cell lines were obtained from the Ludwig Institute of Cancer Research, Brussels, Belgium).

Expression of the genes encoding the OC-2 molecule in melanocytes

The ONECUT proteins are in particular expressed in the cells of human skin. However, the levels of mRNA encoding the OC-2 molecule are particularly high. The expression of mRNA encoding the HNF-6 molecule is low in this tissue (Jacquemin et al. (1999)).

In order to identify a cell type expressing the OC-2 molecule, the inventors carried out an RT-PCR analysis of the RNA of melanocytes and of melanomas.

The PCR products were subjected to analysis by Southern blotting based on the use of radioactive probes.

The results given in Fig. 1 show that it is possible to use the nucleotide sequences of the ONECUT family in order to obtain a differentiated diagnosis of the development of the melanoma.

These results show that only the OC-2 gene is expressed in the melanocytes of the skin.

By contrast, the two genes are highly expressed in various melanoma cell lines. These two genes are expressed at similar levels in the melanoma lines, but the general expression varies depending on the cell lines tested.

Additional assays of transfection of cell lines with plasmid constructs made it possible to demonstrate

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that the proximal ONECUT binding site of the MITF promoter is important for the activation of this promoter and that the OC-2 and HNF-6 transcription factors can stimulate the MITF promoter (see fig. 2).

Through the discovery that the HNF-6 transcription factor is expressed in melanocytes, it appears that the OC-2 transactivation factor is responsible for the stimulation of the MITF promoter in this type of cell line, and therefore involved in melanocyte development.

10 Given that the HNF-6 gene is expressed at particularly early stages of melanocyte differentiation, and that it is also identified in the melanoma cell lines, it may be considered that HNF-6 is a melanoma cell marker and makes it possible, therefore, to distinguish these cells from already differentiated melanocytes.

Consequently, the genetic sequences of invention can be advantageously used for improving and adding to the diagnosis and monitoring of infections and pathologies, in particular of certain melanoma), and cancer (such as types of in particular Waardenburg syndrome, syndromes, involves modified expression of the human MITF genes which affect in particular the abnormal development of the melanocytes present in the skin, in the ears and in the eyes.

The gene encoding the OC-2 factor is also a suitable candidate in the domain of genetic therapy for controlling melanocyte development or for treating Waardenburg syndrome.

Example 2

Cell therapy of a patient

The operating protocol described below can be applied to patients suffering from various pathologies, in particular patients likely to develop diabetes or suffering from diabetes, or likely to develop or suffering from a cancer, in particular a melanoma, or patients affected by Waardenburg syndrome.

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It is clearly understood that the pharmaceutical composition of the invention, which is based on a genetic or cell therapy, can also be combined with treatments based on the use of other gene-regulating systems, in particular based on the use of the Pax-3 or CREB transactivation factors previously described (see fig. 2).

Briefly, the treatment consists in implanting, in a diabetic animal, a line of cells which will have been programmed for GSIS by stable transfection of HNF-6 (or of OC-2). As described above, HNF-6 is, fact, reputed to maintain in cells the expression of phenotype, differentiated genes of the particular GLUT-2 and glucokinase in beta cells, and effect apoptotic oppose the might glucocorticoids on the implanted cells.

Rats (Wistar males weighing 200-250 g) are made single intravenous injection diabetic with a streptozotocin (55 mg/kg). After two weeks, to confirm that diabetes has set in, the glucose in the urine is assayed (>15 mM by the Ames "strip" test). These rats injection, intraperitoneal received, by 50 microspheres (800-900 microns in diameter), containing 200 000 cells of the "test" line. These microspheres, described by Kessler et al. (1992) (see French patent application FR-2,696,755), permeable to insulin, which must be able to exit to the signals of GSIS (such therefrom, and glucose), which must be able to enter therein. They are impermeable to the agents of rejection by the immune system, but not to glucocorticoids. The "test" line is the RIN 1046-38 line, obtained from a rat insulinoma and cultured according to Clark et al. (1990). Stable transfectants either of HNF-6 or of OC-2 are obtained by electroporating the RIN 1046-38 cells with a plasmid vector comprising a bacterial origin of replication, an ampicillin resistance gene, the DNA complementary to control under the the HNF-6 OC-2 to cytomegalovirus promoter/enhancer and a complementary

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neomycin phosphotransferase. encoding DNA complementary DNA encoding neomycin phosphotransferase is cloned 3' of an internal ribosome entry site, itself located 3' of the DNA complementary to HNF-6 or OC-2, such that the cytomegalovirus promoter controls the synthesis of a single bicistronic RNA encoding both OC-2 and neomycin phosphotransferase. A polyadenylation signal, derived from the SV40 virus and located 3' of the complementary DNA encoding neomycin phosphotransferase, ensures the polyadenylation of the bicistronic RNA. After transfection of the RIN 1046-38 cells according to Clark et al. (1997), the stable transfectants are selected by treatment with geneticin (500 $\mu q/ml$) for two weeks.

This method can be transposed to insulindependent (decompensated type II or type I diabetes) humans as described in Aebischer et al. (1999).

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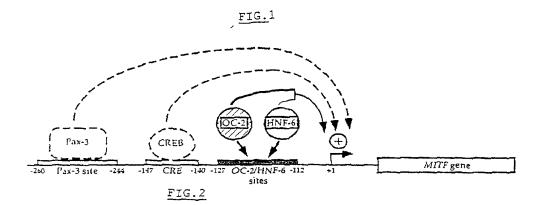
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CLAIMS

- 1. A pharmaceutical composition comprising a suitable pharmaceutical vehicle and an element chosen from the group consisting of a nucleotide sequence encoding a peptide of the ONECUT family, a vector comprising this nucleotide sequence, the polypeptide sequence encoded by this nucleotide sequence and/or a cell line transformed with said vector and expressing the peptide of the ONECUT family.
- 10 2. The pharmaceutical composition as claimed in claim 1, characterized in that the peptide of the family is HNF-6.
 - 3. The pharmaceutical composition as claimed in claim 1, characterized in that the peptide of the family is OC-2.
 - 4. The cellular pharmaceutical composition as claimed in claim 1, characterized in that the peptide of the family is OC-3.
- 5. The pharmaceutical composition as claimed in any one of the preceding claims, characterized in that said nucleotide and polypeptide sequences are human nucleotide and polypeptide sequences.
 - 6. The pharmaceutical composition as claimed in any one of the preceding claims, characterized in that the vector is chosen from the group consisting of plasmids, viruses, phagemids, lipid vesicles, in particular cationic vesicles, liposomes or a mixture of these.
- 7. The use of the pharmaceutical composition as claimed in any one of the preceding claims, for preparing a medicinal product intended for the prevention and/or for the treatment of type 1 or type 2 diabetes or of disorders linked to diabetes, for the prevention and/or for the treatment of cancer, in particular of melanoma, and for the prevention and for the treatment of Waardenburg syndrome.
 - 8. A method of therapeutic treatment of a patient, preferably of a human patient, likely to develop or

suffering from diabetes, from a cancer, in particular from a melanoma, or from Waardenburg syndrome, characterized in that the pharmaceutical composition as claimed in any one of claims 1 to 4 is administered ex vivo by isolating a body fluid or one or more cells from the patient, treating said cells or the cells present in this body fluid with the pharmaceutical composition of the invention or with the vector included in this pharmaceutical composition, and reinjecting into said patient the transformed cells.





Declaration and Power of Attorney for Patent Application

Déclaration et Pouvoirs pour demandes de brevet

French Language Declaration

En tant que l'inventeur nommé ci-après, je déclare par le présent acte que :

Mon domicile, mon adresse postale et ma nationalité figurant ci-dessous à côté de mon nom,

Je crois être le premier inventeur original et unique (si un seul nom est mentionné ci-dessous), ou l'un des premiers co-inventeurs originaux (si plusieurs noms sont mentionnés ci-dessous) du sujet revendiqué, pour lequel une demande de brevet a été déposée concernant l'invention intitulée :

et dont les caractéristiques sont fournies ci-joint à moins que la case suivante n'ait été cochée :

O a été déposé le sous le numéro de Demande des Etats-Unis ou sous le numéro de demande internationale PCT et modifiée le (le cas échéant).

Je déclare par le présent acte avoir passé en revue et pris connaissance du contenu des caractéristiques ci-dessus, revendications comprises, telles que modifiées par tout amendement dont il aura été fait référence ci-dessus.

Je reconnais de voir divulguer toute information pertinente à l'examen de cette demande, comme le définit le Titre 37, §1.56 du Code fédéral des réglementations.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PHARMACEUTICAL COMPOSITION FOR TREATING OR PREVENTING DIABETES OR CANCER, OR THE WAARDENBURG SYNDROME

the specification of which is attached hereto unless the following box is checked:

 was filed on as United States Application Number or PCT International Application Number PCT/BE99/00112 filed on 17.08.99 and was amended on

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentiality as defined in Title 37, Code of Federal Regulations, § 1.56.

French Language Declaration

Je revendique par le présent acte avoir la priorité étrangère, en vertu du Titre 35, § 119 du Code des Etats-Unis, sur toute demande étrangère de brevet ou certificat d'inventeur figurant ci-dessous et ai aussi pris connaissance de toute demande étrangère de brevet ou de tout certificat d'inventeur ayant une date de dépôt précédant celle de la demande à propos de laquelle une priorité est revendiquée.

Prior foreign applications Demande(s) de brevet antérieure(s)

(Number)	(Country)
(Numéro)	(Pays)
9800609	BE
(Number)	(Country)
(Numéro)	(Pays)
(Number)	(Country)
(Numéro)	(Pays)

Je revendique par le présent acte tout bénéfice, en vertu du Titre 35, § 120 du Code des Etats-Unis, de toute demande de brevet effectuée aux Etats-Unis figurant ci-dessous et, dans la mesure où le sujet de chacune des revendications de cette demande de brevet n'est pas divulgué dans la demande américaine préalable, en vertu des dispositions de premier paragraphe du Titre 35, § 112 du Code des Etats-Unis, je reconnais devoir divulguer toute information pertinente à la demande de brevet comme défini dans le Titre 37, § 1.56 du Code fédéral des réglementations, dont j'ai pu disposer entre la date de dépôt de la première demande et la date de dépôt de la demande nationale ou PCT internationale :

(Application Serial No.)	(Filing date)
(No. de série de la demande)	(Date de dépôt)
(Application Serial No.)	(Filing date)
(No. de série de la demande)	(Date de dépôt)

Je déclare par le présent acte que toute déclaration ci-incluse est, à ma connaissance, véridique et que toute déclaration formulée à partir de renseignements ou de suppositions est tenue pour véridique; et de plus, que toutes ces déclarations ont été formulées en sachant que toute fausse déclaration volontaire ou son équivalent est passible d'une amende ou d'une incarcération, ou des deux, en vertu de la Section 1001 du Titre 18 du Code des Etats-Unis et que de telles déclarations volontairement fausses risquent de compromettre la validité de la demande de brevet ou du brevet délivré à partir de celle-ci.

I hereby claim foreign priority under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Priority claimed
Droit de priorité revendiqué

	0	
(Day/Month/Year Filed)	Yes	No
(Jour/Mois/Année de dépôt)	Oui	Non
17.08.1998	•	0
(Day/Month/Year Filed)	Yes	No
(Jour/Mois/Année de dépôt)	Oui	Non
•	0	0
(Day/Month/Year Filed)	Yes	No
(Jour/Mois/Année de dépôt)	Oui	Non

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentibility as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Statut)	(Status)
(Breveté, en attente, annulé)	(Patented, pending,
	abandoned)
(Statut)	(Status)
(Breveté, en attente, annulé)	(Patented, pending,
•	abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

French Language Declaration

POUVOIRS: En tant que l'inventeur cité, je désigne par la présente l'(les) avocat(s) et/ou agent(s) suivant(s) pour qu'il(s) poursuive(nt) la procédure de cette demande de brevet et traite(nt) toute affaire avec le Bureau des brevets et marques s'y rapportant.

(mentionner le nom et le numéro d'enregistrement)

POWER OF ATTORNEY: As named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and trademark Office connected there with.

(list name and registration number)

Adresser toute correspondance à :	Send Correspondence to:	
Adresser tout appel téléphonique à : (nom et numéro de téléphone)	Direct Telephone Calls to: (name and telephone number)	
Nom complet de l'unique ou premier inventeur	Full name of sole or first inventor	

Date Date Inventor's signature Signature de l'inventeur 24/01/2001 Residence Domicile Avenue de la Chapelle 21 BEX B-1200 BRUSSELS BELGIUM Nationalité Citizenship Belgian Post Office Address Adresse postale Avenue de la Chapelle 21 B-1200 BRUSSELS **BELGIUM**

(Fournir les mêmes renseignements et la signature de tout co-inventeur supplémentaire)

(Supply similar information and signature for any subsequent joint inventor)

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	LEMAIGRE Frédéric
Signature du second inventeur Dat	te Second inventor's signature Date

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	BELGIUM
Nationalité	Citizenship
	Belgian
Adresse postale	Post Office Address
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	B-1410 WATERLOO
	BELGIUM

Nom complet du troisième co-inventeur, le cas échéant	Full name of third joint inventor, if any
Signature du second inventeur Date	Third inventor's signature Date
Domicile	Residence
Nationalité	Citizenship
Adresse postale	Post Office Address

Nom complet du troisième co-inventeur, le cas échéant		Full name of third joint inventor, if any	
Signature du second inventeur	Date	Third inventor's signature	Date
Domicile		Residence	
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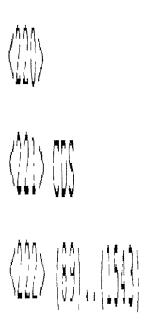
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145	5				150)				15	5				160
Ala	e Ala	a Se:	r Val	Se:		/ Sei	r Phe	∋ Tn:	Le:		: Arq	g Asp	; Gl.	2 Arg	g Ala
Ala	Let	ı Ala	a Ser 180		L Gly	7 Els	s Leu	: Tyr 185		y Pro	o Tyr	Gly	' Lys 190		i Leu
Pro	Ala	Met 195		/ Sei	: Pro	: Leu	Ser 200		let	. Pro	Asn	: Ala 205		: Pro) Pro
Ala	let 210		Gly	· Ala	e Pro	Gln 215) Pro	Pro	Pro	220		Pro	Pro	Pro
Leu 225		Ala	Tyr	· Gly	Pro 230		Gly	His	Leu	1 Ala 235		Asp	Lys	Leu	Leu 240
Pro	Pro	Ala	Ala	Phe 245		Pro	His	Ala	Ala 250		Leu	Gly	Arg	Ala 255	Glu
Asp	Ala	Leu	260		Gly	Leu	Pro	Gly 265	Gly	· Gly	Gly	Gly	Thr 270	Gly	Ser
Gly	Gly	Ala 275	-	Ser	Gly	Ser	Ala 280		Gly	Leu	Leu	Ala 285	Pro	Leu	Gly
Gly	Leu 290		Ala	Ala	Gly	Ala 295	His	Gly	Pro	His	Gly 300	Gly	Gly	Gly	Gly
2ro 305	Gly	Gly	Ser	Gly	G1y 310	Gly	Pro	Ser	Ala	Gly 315	Ala	Ala	Ala	Glu	Glu 320
Ile	Asn	Thr	Lys	Glu 325	Val	Ala	Gln	Arg	Ile 330	Thr	Ala	Glu	Leu	Lys 335	Arg
Tyr	Ser	Ile	Pro 340	Gln	Ala	Ile	Phe	Ala 345	Gln	Arg	lle	Leu	Cys 350	Arg	Ser
		355					360	_			Lys	365	_		-
	370					375					Trp 380				
385					390					395	Leu				400
				405					410		Leu			415	
Gln	Arg	Leu	Val 420	Phe	Thr	Asp	Leu	Gln 425	Arg	Arg	Tnr	Leu	Ile 430	Ala	Ile
Phe	Lys	Glu 435	Asn	Lys	Arg	Pro	Ser 440	Lys	Glu	Met	Gln	Val 445	Thr	Ile	Ser
	450					455					Asn 460				
11a	Arg	Arg	Arg	Cys	Met 470	Asn	Arg	Trp	Ala	Glu 475	Glu	Pro	Ser		Ala 480

Pro Gly Gly Pro Ala Gly Ala Thr Ala Thr Phe Ser Lys Ala 485 490